

BY-LAW NO. 1812

OF THE TOWN OF FORT MACLEOD IN THE PROVINCE OF ALBERTA

Being a bylaw of the Town of Fort Macleod in the Province of Alberta to regulate the collection, removal and disposal of garbage, refuse and waste products within the Town of Fort Macleod.

WHEREAS, pursuant to the Municipal Government Act Chapter M26, RSA 2000 and amendments thereto, the Council may pass bylaws regulating and controlling municipal public utility services, and;

WHEREAS, the collection, removal and disposal of garbage is a municipal utility service provided by the Town.

NOW THEREFORE, the Council of the Town of Fort Macleod duly assembled enacts as follows:

1.0 Titles and Definitions:

1.1 This bylaw may be cited as the “Waste By-Law” of the Town of Fort Macleod.

1.2 Definitions:

- 1.2.1 “Town” shall mean the Municipality of the Town of Fort Macleod.
- 1.2.2 “Landfill” shall mean the landfill operated by the Willow Creek Regional Waste Management Commission.
- 1.2.3 “Refuse” shall mean any discarded or abandoned organic or inorganic material.
- 1.2.4 “Occupant” shall mean a person or corporation in actual possession of any premises either as owner or tenant.
- 1.2.5 “Municipal Manager” shall mean the Municipal Manager of the Town as appointed by Town Council and includes any person authorized by him or the Town to act for or carry out the duties of the Municipal Manager to the extent that authorization is given.
- 1.2.6 “Refuse Receptacle” shall mean tied plastic garbage bags in which refuse is to be deposited or placed.
- 1.2.7 “Container” shall mean a bin, can or barrel designed for refuse containment with a smooth rim on top, or wood enclosure in which a refuse receptacle is placed in order to shield from the elements and roaming animals.
- 1.2.8 “Commercial Refuse Container” shall mean a large metal container with a minimum volume of 2-5 cubic yards, designated for the express purpose of being unloaded by a truck designated for unloading purposes.
- 1.2.9 “Collector” shall mean a person who collects refuse within the Town for and on behalf of the Town.
- 1.2.10 “Premises” shall mean any land or building or part of a building supplied with any services under a contract with the Town.
- 1.2.11 “Medical Health Officer” shall mean the official in charge of the Chinook Health Region and includes any person authorized by him to act for or carry out the duties of the Medical Officer of Health to the extent that authorization is given.
- 1.2.12 “Wet Refuse” shall mean the kitchen waste containing liquid originating from hotels, boarding houses, and restaurants but excludes drained kitchen wastes which have been properly packaged.
- 1.2.13 “Food Waste Disposal Unit” shall mean an electrically operated unit intended to be used and designed to grind wet refuse into a suitable state for discharge into the Sewer System.
- 1.2.14 “Finance Officer” shall mean the Finance Officer of the Town.
- 1.2.15 “Specified Penalty Option” shall mean the option which may be exercised by a person to whom summons is issued to plead guilty and pay a specified penalty in accordance with Section 12 instead of appearing before a justice on the date specified in the summons.

- 1.2.16 "Littering" shall mean knowingly or by means of neglectful containment depositing refuse on any private or public lands without consent of the owner.

2.0 Administration;

- 2.1 This bylaw applies to all refuse produced within the limits of the Town.
- 2.2 The Landfill of the Town shall be the landfill operated by the Willow Creek Regional Waste Management Commission.
- 2.3 Except as otherwise provided in Section 7, the Town shall provide the public collection and removal of refuse within the limits of the Town.
- 2.4 An occupant may arrange to remove refuse to the Landfill.

3.0 Authority of Municipal Manager;

The Municipal Manager or their delegate shall:

- 3.1 Coordinate the collection, removal and disposal of refuse;
- 3.2 Direct the day and the time of day that collection shall be made from different areas of the Town;
- 3.3 Decide as to the quantities and class of refuse to be removed from any premises or accepted by the town, and;
- 3.4 Designate any pick up point as he deems necessary;
- 3.5 Arbitrate all complaints / disputes which involves the collector and/or the Town.

PART I COLLECTION OF REFUSE

4.0 Location of Refuse Receptacle;

- 4.1 Refuse receptacles, containers and commercial refuse containers shall be located on the occupant's premises adjacent to a lane where a collector has unobstructed immediate access.
- 4.2 Where premises from which waste is to be collected does not abut a lane or where special conditions make it impractical to keep and place such receptacles at the rear of the premises, the occupant of such premises shall place the refuse receptacles and or container at the curb per clause 4.3.
- 4.3 Where premises from which refuse is to be removed includes no space outside the building for the placing of receptacles on the site in such a manner that the collector may have access to them, an occupant of the premises shall place the refuse receptacle or container on the portion of the sidewalk or street border adjoining the traveled portion of the street after the hour of four o'clock in the morning of the day when the refuse is to be collected from the premises and shall remove such refuse container from the street or portion thereof the same day.
- 4.4 Two or more premises in a commercial area may have joint use of containers providing the containers supply sufficient capacity for the premises involved and is located adjacent to a lane where a collector has unobstructed immediate access.

5.0 Preparation of Refuse for Collection;

The occupant of premises from which refuse is to be collected shall:

5.1 Domestic

- 5.1.1 Have all refuse bundled and/or securely tied or placed in a refuse receptacle.
- 5.1.2 Place refuse receptacle in a container, except as otherwise specified in this bylaw.

5.2 Commercial

- 5.2.1 Place refuse in a receptacle or,
- 5.2.2 Bundle and/or securely tie or place in a tied refuse receptacle all paper or plastic products susceptible to being windblown.
- 5.2.3 Place refuse not susceptible to being windblown and refuse receptacle in a commercial refuse container.

5.0 Preparation of Refuse for Collection (cont'd.):

5.3 Industrial

- 5.3.1 Place refuse in a receptacle or,
- 5.3.2 Bundle and/or securely tie or place in a tied refuse receptacle all paper or plastic products susceptible to being windblown.
- 5.3.3 Place all refuse not susceptible to being windblown and refuse receptacles in a commercial refuse container.

6.0 Frequency of Collection

Frequency of collection shall be set by Town Council and amended as required.

7.0 Restrictions and Prohibitions

- 7.1 Except as otherwise provided, no person shall place waste elsewhere than in refuse receptacles and or containers which comply with the requirements of this bylaw.
- 7.2 Except as otherwise herein provided, no person shall place or keep containers upon any portion of a street, lane or boulevard.
- 7.3 Trees, shrubs, construction materials, discarded furniture, automobile parts, tires, vehicles and household equipment and chattels shall not be considered as refuse and it shall be the responsibility of the occupant of the premises producing these materials to arrange for the disposal of these materials.
- 7.4 Discarded heavy machinery, bi-products of manufacturing, heavy or bulky wrapping, packaging or crating material or cases of a greater length than one (1) meter (3.06 ft.) or greater weight than thirty four (34) kilograms (75 lbs.) will not be removed by the collector. It shall be the responsibility of the occupant of the premises producing these materials to arrange for disposal of these materials.
- 7.5 A collector shall not collect, at anytime, the following:
 - 7.5.1 Building materials or building refuse;
 - 7.5.2 Dead animals or parts thereof;
 - 7.5.3 Rocks, gravel, sand, sod, etc.

It shall be the responsibility of the owner or occupant of the premises producing these materials to arrange for disposal of these materials.
- 7.6 Burning of refuse in a residential area is prohibited.
- 7.7 Burning of refuse in other than residential areas will not be allowed unless in an incinerator which must be approved by Alberta Environment.
- 7.8 No person shall remove wet refuse from any hotel, boarding house, restaurant, retail or wholesale outlet for use as feed except by permit as issued by the Medical Health Officer and the Veterinary Director, Department of Health of Animals, Government of Canada.
- 7.9 No person is to deposit refuse anywhere within the limits of the Town except in proper refuse containers. Not using proper refuse containers constitutes littering.
- 7.10 No person shall litter within the Town of Fort Macleod Limits.

8.0 Clean Up Campaign;

- 8.1 The Council of the Town of Fort Macleod may make rules and regulations for the "Clean Up Campaign".

9.0 Disposal of Wet Refuse;

- 9.1 Food Waste Disposal units shall be connected to the Sanitary Sewer Systems.

PART II USE OF THE REGIONAL LANDFILL

10.0 Regional Landfill;

- 10.1 The Town belongs to the Willow Creek Regional Waste Management Services Commission. This organization operates a Class II Landfill Facility on the NW ¼ 22-11-26-W4M. The Commission operates under the authority of a permit from Alberta Environment and sets rules and regulations as necessary for the use of their facility.

PART III COLLECTION CHARGES

- 11.1 The occupant of any premises in the Town within such area and with such frequency as may be designated for the provisions of refuse collection services shall pay, to the Town, a monthly charge as set out by Town Council and the Town shall collect refuse from one pick up point from each premises.

The rates for collection charges are set out as per schedule "A" and attached and form part of this bylaw

Accounts for refuse collection service shall be forwarded to the occupant; monthly, and shall be payable at such places and on such terms as are indicated on the bill.

The payment of any charges provided by this bylaw may be enforced by action in any court of competent jurisdiction.

Where the occupant is the owner or purchaser of premises, the sum payable by him for refuse removal services is a preferential lien and charge on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable. Where the occupant to whom refuse removal service has been supplied is a person other than the owner or purchaser of the premises, the sum payable by the occupant is a debt due by him and shall be a preferential lien and charge on his personal property and may be levied and collected with cost by distress.

PART IV PENALTIES & PROSECUTIONS

- 12.0 Any person who contravenes this bylaw is guilty of offence, and except where otherwise provided liable to a fine of not less than the fine specified on the face of the ticket, which are found in Schedule A, and to not more than two thousand five hundred dollars (\$2,500.00), and in default of payment liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term, not exceeding six (6) months without the option of fine. Any person required to attend mandatory court is guilty of an Offence and of a fine of not less than one thousand dollars (\$1,000.00).

PART V REPEALS

13. By-Law No. 1795 and amendments thereto and all other bylaws regarding garbage collection services and rates are hereby repealed.

SCHEDULE A

Sections 5.1	\$100.00
Sections 5.2	\$250.00
Sections 5.3	\$250.00
Sections 7.1 to 7.5 inclusive	\$100.00
Sections 7.6 to 7.10 inclusive	\$250.00

READ a first time this 24th day of November 2014, A.D.

READ a second time this 24th day of November 2014, A.D.

READ a third time and finally declared passed by Council this 24th day of November 2014, A.D.

DEPUTY MAYOR, Trish Hoskin

MUNICIPAL MANAGER, David Connauton

BYLAW PASSED

Schedule "A"
Collection charges

Residential	\$16.84
Apartment (up to 15 units)	\$78.06
Apartment (16+ units)	\$3.41 per unit above 15 units
1 Pickup (.35 cubic meters)	\$36.47
1 Pickup (.50 cubic meters)	\$48.69
1 Pickup (.75 cubic meters)	\$60.81
1 Pickup (1.0 cubic meters)	\$72.94
1 Pickup (1.15 cubic meters)	\$85.16
1 Pickup (1.25 cubic meters)	\$97.29
1 Pickup (1.50 cubic meters)	\$109.41
1 Pickup (1.75 cubic meters)	\$121.62
1 Pickup (2.0 cubic meters)	\$133.77
2 Pickups (.35 cubic meters)	\$48.69
2 Pickups (.50 cubic meters)	\$60.81
2 Pickups (.75 cubic meters)	\$72.94
2 Pickups (1.0 cubic meters)	\$85.16
2 Pickups (1.15 cubic meters)	\$97.29
2 Pickups (1.25 cubic meters)	\$109.41
2 Pickups (1.50 cubic meters)	\$121.63
2 Pickups (1.75 cubic meters)	\$133.77
2 Pickups (2.0 cubic meters)	\$145.87
3 Pickups (.35 cubic meters)	\$60.81
3 Pickups (.50 cubic meters)	\$72.94
3 Pickups (.75 cubic meters)	\$85.16
3 Pickups (1.0 cubic meters)	\$97.29
3 Pickups (1.15 cubic meters)	\$109.41
3 Pickups (1.25 cubic meters)	\$121.62
3 Pickups (1.50 cubic meters)	\$133.77
3 Pickups (1.75 cubic meters)	\$145.87
3 Pickups (2.0 cubic meters)	\$158.09

All rates are charged per month.